

## REMARKS

Claims 1 through 22 are pending in the application. Claims 11 and 12 have been amended. Bases for the amendments may be found throughout the specification, claims and drawings as originally filed and as such, no new matter has been presented. The Examiner is respectfully requested to reconsider and withdraw the rejection in view of the amendments and remarks contained herein.

## REJECTION UNDER 35 U.S.C. § 102

Claims 11 and 18 stand rejected under 35 U.S.C. § 102(b) as being anticipated by Sibler (U.S. Pat. No. 4,050,281). This rejection is respectfully traversed.

The Examiner has rejected Claims 11 and 18 under 35 U.S.C. § 102(b) as being anticipated by Sibler (U.S. Pat. No. 4,050,281). More specifically, the Examiner references Claim 1, lines 21 through 36 of the Sibler reference and describes this portion as teaching the alignment of an axis of a container directly to an axis of the stem. While the Sibler reference discloses that the stem is axially aligned to the container, it does not teach or suggest any method by which this may be done.

In contrast Claim 11 of the present application recites that the container is aligned directly to an axis of the stem. One way in which this may be accomplished is illustrated in Figure 8 of the present application. As noted in paragraph [0011] of the present application, prior methodologies for aligning components of an extrusion press align the individual components of the extrusion press to a predetermined point or axis, such as the longitudinal axis of the extrusion press. In contrast, the methodology of

Claim 11 directly aligns the container to the stem without reliance upon a tertiary axis. Consequently, the methodology of Claim 11 is relatively quicker and tends to provide better alignment accuracy.

In view of the above remarks, Applicant submits that the Examiner has not presented a *prima facie* case of anticipation as the Sibler reference notes discloses that the stem should be axially aligned to the container but does not teach or suggest how this may be accomplished. Accordingly, Applicant respectfully requests that the Examiner reconsider and withdraw the rejection of Claim 11 under 35 U.S.C. 102(b).

Applicant notes, too, that Claim 18 is dependent upon Claim 11. Consequently, Applicant submits that Claim 18 should be in condition for allowance for the reasons set forth above for Claim 11.

#### **ALLOWABLE SUBJECT MATTER**

Claims 1 through 10 are have been allowed. The Examiner states that Claims 12 through 17 and 19 through 22 would be allowable if rewritten in independent form.

Applicant has not elected to rewrite Claims 12 through 17 and 19 through 22 in an independent form at this time, but elected instead to pursue the allowance of Claim 11, the base claim from which Claims 12 through 17 and 19 through 22 depend. In view of the above remarks, Applicant respectfully submits that Claim 11 is in condition for allowance and as such, Claims 12 through 17 and 19 through 22 are in condition for allowance as well.

**CONCLUSION**

It is believed that all of the stated grounds of rejection have been properly traversed, accommodated, or rendered moot. Applicant therefore respectfully requests that the Examiner reconsider and withdraw all presently outstanding rejections. It is believed that a full and complete response has been made to the outstanding Office Action, and as such, the present application is in condition for allowance. Thus, prompt and favorable consideration of this amendment is respectfully requested. If the Examiner believes that personal communication will expedite prosecution of this application, the Examiner is invited to telephone the undersigned at (248) 641-1600.

Respectfully submitted,

Dated: June 30, 2004

By:

  
Paul A. Keller  
Reg. No. 29,752

Michael D. Zalobsky  
Reg. No. 45,512

HARNESS, DICKEY & PIERCE, P.L.C.  
P.O. Box 828  
Bloomfield Hills, Michigan 48303  
(248) 641-1600